

Boulevard Planning Group  
Minutes/Summary, March 3, 2011  
Boulevard Fire and Rescue Inc. Training Room, 39919 Highway 94/Ribbonwood

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1. **Call to Order:** 7:08 PM
2. **Determination of Quorum/Roll Call:** Members Present: Tammy Daubach, Cheryl Lenz, Jeffrey McKernan, Chris Nolan, Patricia Stuart, Donna Tisdale (Chair) and Audra Hall.
3. **Approval of Minutes:** Motion/Second: Patricia Stuart/Tammy Daubach to approve the February 3, 2011 meeting minutes. Passed 6-0-0
4. **Correspondence:**
  - A. **Iberdrola** – e-mail to Chair: Harley McDonald wanted to respond to some of the questions that were asked during the Planning Group meeting on February 3<sup>rd</sup>, 2011.
    1. How close are their turbines to the Sunrise Powerlink? Our nearest turbine is 340 feet from a tower and the second closest is 520 feet from the right away, the rest are much further back from the proposed line.
    2. Is Iberdrola involved in any litigation now? No, none of our projects have litigation pending against them.

Harley McDonald then stated that she sent the fire protection plan for Planning Board review. Donna stated that she received an electronic copy and presented a hard copy for review as well. Tule Wind Project Fire Protection Plan prepared for the County of San Diego and accepted by David Nissen, the Division Chief Cal Fire San Diego Rural Fire Protection District. After review of the document there was no approving signature on the document and Donna stated that the community needs an opportunity to review and comment on it prior to it being accepted. The board did not know if this plan was going to become part of the major use permit, but it was not included in the Tule Wind Document as it should have been. There were discrepancies between the fire plan and the Tule Wind Document. Patricia also mentioned that Harley had promised to prove to us that none of the government subsidies that Iberdrola received were going overseas and that they were all going to be spent in the U.S. market. Donna stated that she should send a reminder to Harley along with the list of questions that she was to answer included in the February 3<sup>rd</sup>, 2011 meeting minutes. Donna sent an e-mail back to Harley asking if their litigation was resolved, as of December 2010, in Illinois for about \$1 million in road damage. Harley was asked to provide documentation that the known road damage litigation had been resolved.

- B. **SDG&E** – Cameron Durckel sent an e-mail stating that he would be unable to attend the March 3<sup>rd</sup> 2011 Planning Board meeting as he was working out of town and would attend the next planning board meeting to answer the questions that were raised at the February 3<sup>rd</sup>, 2011 meeting and to update the group of the status on various projects. Donna responded to his e-mail thanking him for letting the Board know that he would not be in attendance. She also stated that SDG&E keeps advertising in large print ads that they are keeping impacted communities informed on the Sunrise Powerlink but that that statement is not true for Boulevard and most likely of many other communities. He never seems to have answers to our very real questions and concerns with the odd exception here or there and that he has had plenty of time to follow up with answers to the same questions that we have been asking for

months. He responded to her that as Donna is an opponent and a litigant of the Powerlink Project He does not expect to see eye to eye. "I know your views on these issues and I look forward to discussing them further. I will continue to attend meetings to keep the Boulevard community apprised of our activities in the region and looks forward to addressing the Boulevard Planning Group in April". The Group will wait to see his response at the next planning Board meeting and we will take action if he does not respond to the list of questions repeatedly put to Sempra and SDG&E.

## 5. New Business:

- A. Enel Jewel Valley Wind/Solar Project: Revised Administrative Permit Applications for Multiple MET (Test) Facilities:** Enel representatives declined to participate in the meeting, due to the Group's previous opposition to the project. The Chair received a phone call from Jennifer Purczynski complaining about the agenda wording. The Chair read what Jennifer had written to her previously : "Thank you for e-mailing your revisions to our administrative permit application the met facilities you are referring to were in response to the Counties request for further clarification pursuant to the scoping letter dated December 10<sup>th</sup>, 2010 and do not reflect material changes to the proposed met towers. It is my understanding that revised application will be posted to an FTP site for you to access and be there shortly. I will send you an e-mail once the documents have been posted. In addition it was our understanding that the Boulevard Planning Group had already taken official position on our project, that being said we do not plan on attending the March 2011 Board meeting but we are happy to address any questions that you may have by phone". The Chair reported that, during a phone call, Jennifer had also made allegations that she had received threats, that she felt unsafe and that unless we controlled our meetings that they could not participate. The Chair asked if she could identify who made those threats but she could not. The Chair then asked what threats were made and Jennifer alleged that one man told her to shove a turbine ....., another man said that she should wear a bullet proof vest the next time you come to a meeting. The Chair asked her if she could identify the people because we do not want that type of behavior to happen or people feeling unsafe. The Chair encouraged the Board and the community that if they heard anyone making such statements to confront them and stop that behavior. She asked Jennifer to put her allegations in writing so that we could decide to how we should respond but advised her that if she feels threatened to call on local law enforcement and make a police report, ask about the person, license plate something. That was not done and Donna made a comment based on her past experience that there may be more to this, that it may be an orchestrated effort and that she is beginning to see a pattern and does not believe it is a coincidence . Will Metz the Forest Supervisor allegedly received death threats and a man calling himself a reporter came up to her at the PUC/BLM meeting in January and alleged that he had been attacked and harassed by one of" her guys". Donna asked if it was her husband because that was HER guy and he said no. He was asked if he could identify the person and he could not and Donna asked how she could help him if he could not identify the person. He stated that Donna was creating an atmosphere for this kind of behavior. Donna asked what she could have said to create that kind of atmosphere and he could not answer her. She recommended that he wear his press identification badge, if he has one.

Donna went on to speak about the hearing on Friday with Administrative Law Judge about the ECO Substation. Requests were made for hearings in East County and the judge stated that she feared for her safety. The Board wondered how she could make such a statement without ever having visited our community. It is obvious that somebody is saying something to others about our community and generating this behavior. Again Donna made a request of the Board and community to help with discouraging any behavior of that kind in our community, if you see or hear someone report it immediately.

A community member asked about the reporter that made the allegations, then described him, and Donna stated that was the person she was referring to. The community member reported that at the big meeting in Jacumba, the reporter came outside and approached a group of people and that he was stirring up inflammatory conversations with the community members, trying to start something. Donna stated again that we need to deal with the issues lawfully and legally.

The judge will be coming out for a separate public participation hearing for the Public Utilities Commission for the 3 projects in one, ECO Substation, Tule Wind and Energia Sierra Juarez. We do not know exactly when but the judge stated that it would be after the final EIS was released. The Board was surprised that it would be afterwards because the Board and public would have no opportunity to comment on it.

It was reported that Jennifer's last comment was that unless we could guarantee her safety, she would not attend any other meetings. A community member stated that we should get the Sempra Energy body guards to attend. Donna said that was another issue, it was reported to her that the armed guards with the BLM followed a couple out to their truck and had raised their billy club in a threatening manner. A couple in the audience said, "That was us!" They said that they left right after the meeting was over and they walked around for a couple of minutes to look at some of the stuff and they were both ill at the time. The husband said that he got into the car on the passenger's side that the tall guy from the BLM came out and was shining a flashlight and writing down his license plate number. At that time he got out of the car and asked if he could help him. They stated that they did not know the ranger and had never spoken with him before. After the husband asked if he could help the ranger, that is when he whipped out his billy club and looked as if he was going to use it. The ranger reportedly said that he had two seconds to leave and then he put his arm back. The couple said they asked what his name was and he lied and told him that his name was John Smith. The husband said that once the armed ranger pulled out his billy club and told him to leave that he went to the car got inside and started his cell phone recording and he recorded the rest of the incident. The couple said they tried to go to a supervisor inside the meeting hall and that supervisor told them that they were threatening the officer. The officer's partner also came out and they asked him is your partners name "John Smith" he stated yes and when the husband asked what his name was, the second ranger said, Joe. The couple said that both rangers lied about their name. Donna asked the couple if they could have said or done anything during the meeting that could have been perceived as threatening. The husband said that he did not but just his large size could have been it. The rangers would not give their supervisors name and told the couple to just tell to go to the BLM in El Centro. Another BLM representative came out and gave them an e-mail they could send a report to. They did the next day but never received a response. The husband received a phone call from BLM telling him that the two officers were counseled on their

behavior and for providing false names. Donna stated that she would like a copy of the e-mail that was sent to the BLM. Jim Whalen (consultant) stated that he was not scared and everyone laughed. Donna stated that she could not open the online document showing the minor adjustments. Pat Brown, County staff, told her that they actually reviewed the noise levels for the SoDar testing unit, that we had raised concerns with, and made Enel go back and do some noise mitigation, some kind of temporary sound wall, and move the entrance for the access roads to comply with line of sight requirements.

**Action:** The group agreed the changes were needed but that does not change the group's opposition due to adverse effects to property values and more. **Motion/Second: Chris Nolan/Cheryl Lenz** The Board is to restate our previous opposition to the project and request for public hearing. Passed 6-0-1 (Stuart abstained)

- B. Need for Investigation into Kumeyaay Wind Turbine/Substation Issues:** The Group discussed the 2009 catastrophic failure and related issues: cause of failure, cost to repair failure, accidents, fires, blade failures, FAA lighting failure issues, worker safety, responsible parties, who is in charge, discarded turbine parts, oil leaks, where to file project related complaint reports, adverse health effects, shadow flicker, need for unbiased third party noise and stray electricity testing, need for health surveys, potential resolution of and mitigation for residents dealing with health effects, federal operational plan needed for turbines.

The group addressed these issues previously and sent a letter to the Secretary of the Interior asking for investigation. The group never received a response. On Friday Donna attended a meeting in Ocotillo with Congressman Filner that was organized by the local community. Someone in that community took photos and presented a PowerPoint to Filner. The Developers are proposing another 300 MW wind energy project on 15 thousand acres right at the base of the mountains. The PowerPoint photos show discarded turbine parts laying on the ground, oil leaks dripping from turbines to the land (fire hazard), visible from the freeway, not recyclable. Questions were raised on how it can be claimed turbines are a "Green Project". A comment was made that this is just a small project of 25 turbines. A lengthy list of turbine accidents on the Kumeyaay reservation, and other wind energy projects was researched and read to the community and board. The list of accidents is attached to the minutes.

**Motion/Second Chris Nolan/Audra Hall:** Send follow-up letter, to the Secretary of the Interior, BIA, and BLM, restating our previous concerns, all issues discussed, and adding the new photos, copy Daryl Issa (Govt. Oversight) and other concerned parties. **Passed: 7-0-0**

## **6. Updates and Potential Action Items:**

- A. PUC/BLM DEIR/EIS for Tule Wind, ECO Substation, Energia Sierra Juarez & Cumulative Impact Projects. Estimated 392 Industrial Wind Turbines. Comment Deadline Extended to March 4<sup>th</sup>, 2011:** Donna reported that she was late in finishing the board's previously approved base comments. It was agreed that the final letter could be sent in without review by another board member. No formal action on this item.

- B. **ECO Substation, Tule Wind, and Energia Sierra Juarez MUP's:** There was no board action on this item. There will be separate hearings.
- C. **General Plan Update:** There has been pressure to change the general plan for some time and increasing from development companies that do not like our community plans that limit what they can build. There will be additional steering committee meetings and Donna will attend and restate our previous stance on the issues. The County is talking about the lot size being determined by the available ground water, as it should be.
- D. **Sunrise Powerlink Updates:** Nothing on the Powerlink litigation issues at this time. Flyers were available for a rally at the March 7th court hearing and an event downtown .There was picketing in Alpine last week against the Powerlink.
- E. **Rough Acres Ranch Project Updates:** There are four Major Use Permits pending for multiple ranch parcels (Iberdrola's Tule Wind project, camp ground, solar project, sand mine). Jim Whalen from the Rough Acres Ranch Project and Whalen and Associates. (Donna provided a list of clients) Jim stated that there are four projects and he was under the impression that the county has sent Donna and the board a copy of the County's Pre-Application Meeting letter dated February 16th, her name was on the CC of the e-mail on Feb. 16<sup>th</sup> but she did not receive it. He stated that he would send it to Donna. They broke Rough Acres Ranch into four Major Use Permit's .Each concerns a different part and their footprints cannot overlap. The first two are Iberdrola's Tule Wind, and Rough Acres Ranch Camp Ground Facility-399211-002. He stated that they have filed with the County and they are in the beginning .There are 4 issues that they have identified. Community Planning Sponsor Group Coordination- The Department of Planning and Land Use strongly recommends that they coordinate with planning group prior to application submittal.

**MUP # 1. Iberdrola – MUP # 2 Camp Ground Emergency Evacuation Center.**

**Issue # 1: Roads:** The County wants their new East-West road to be a public road. They will work with the county on crossing the 100 year floodway. There are too many dead end streets on the property that are too long by County standards. .

**Issue # 2: Evacuation Center:** The Hamanns have been approached by the Red Cross for an evacuation center. Jim claimed there is a consensus that there is a need for a large safe area in the event of a fire or other disaster. Jim admitted that there were FEMA grants available. Donna stated that we have asked for a large mulit-use community and disaster center on 18 acres across from the fire department, and that this would be something that they could to for the community instead of putting it at Rough Acres for private profit.

**Issue # 3. Ground Water Concerns:** - Although the property site has an existing public water system they still have to evaluate the impact to ground water. Donna questioned the fact that they have a public water system and asked when it was licensed. Jim answered for about 1 ½ years ago. Donna stated that the board had not been informed. Jim stated that their 75,000 gallon water tank was done with permits. Board members said they never saw anything posted... The ground water will be monitored to determine cumulative issues. The Board asked to be informed about the ground water monitoring. Jim was asked if the monitoring would happen during possible construction of Tule wind, and drawing from the wells for the cement batch plants. Jim stated that it would be close to it but that it would be hard to say exactly.

**Issue #4. Project Description:** - Jim admitted that the project Description was skimpy – There

are too many moving parts on the property and projects and the Group wants to know the details of how the different projects will work together, and the cumulative impacts that are now being segmented and staggered. Jim stated that they process cattle and have 50 head. No one remembered seeing cattle on that property for years. Jim said he gets a cooler full of beef from John Gibson. They are planning for primitive camping for 400, and wind, solar and equestrian projects.

**Rough Acres is required to do the following studies** – Grading plans, land use/community character, resource protection study, visual impact analysis, photometric study, air quality, biological resources report, cultural, dam stability analysis, underground storage tank closure info, vector management, fire protection plan, storm water management plan, drainage and flooding study, ground water investigation, well permit, noise analysis, climate change and traffic impact analysis. The Hamann's response to the County is due August 14<sup>th</sup>. Donna did ask for full disclosure on the different charities, foundations, Hamann family members, and other individuals that own the various parcels that make up Rough Acres Ranch, if they are income and property tax exempt, and how that will impact funding for local infrastructure like the fire department and law enforcement.

**MUP # 3: Mike Armstrong –Concentrix Solar: - Introduced by Jim Whalen. He is working with Rough Acres and has a test unit project at UCSD that the Chair and Vice-Chair visited at Jim's request**– They do not know exactly where this project will be located yet. Looking at more than 100-200 acres at Rough Acres Ranch. They are looking at 30MW, each tracking solar unit is 6 kW. It takes an average 6 acres per MW (180 acres). They are looking at all the impact studies and issues that make the project more difficult: biological, cultural, archeological, and hydro. They are looking at 4 parcels and trying to finalize those agreements. They will only keep the ones they can use and the Hamanns will keep the ones they cannot build on. They are looking at leasing two parcels and purchasing two parcels. . Jim admitted that there are a lot of cultural resources here that need to be dealt with. Donna reported that there was an ancient village site on their property. Donna asked if Concentrix was also negotiating for a solar project in Jewel Valley. Both Mike and Jim said no.

**F. Presentation From the Floor on Non-Agenda Items:** On March 12<sup>th</sup> and the 19<sup>th</sup> the Fire Safe Council will be putting up donated community signs and need volunteers

**G. Adjournment: 8:58 PM**

Minutes submitted by Audra Hall and Approved by the Group 12-1-11

Donna Tisdale, Chair 

For more information, contact

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